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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,504	12/05/2003	Toru Suzuki	Q78277	7847
23373	7590	11/17/2004	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			MAGEE, CHRISTOPHER R	
			ART UNIT	PAPER NUMBER
			2653	

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/727,504	Applicant(s) SUZUKI ET AL.	
	Examiner Christopher R. Magee	Art Unit 2653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 09/740,989.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/5/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 09/740,989, filed on 12/21/2000.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tamiya et al. (hereinafter Tamiya) (Sanyo Electric Co.; Figures 16 to 19 and Figures 23 to 27) (DE 197 53 690 A1) in view of Koken et al. (hereinafter Koken) (US 4,672,598).

➤ Regarding claims 1-3, and 5-7, Tamiya shows a recording medium playback device comprising:

a recording medium accommodation unit [3] for accommodating a plurality of recording mediums [12] in a stacked array;

a carriage chassis [500] having at least a pickup [56], a turntable [55] and a pickup moving means [58], said pickup moving means being adapted to move said pickup in the direction of playing back the recording medium;

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a moving means [57] for moving said carriage chassis to a position between the recording mediums accommodated in said recording medium accommodation unit to play back the recording medium;

a recording medium loading means [1] for loading the recording medium inserted from outside into said recording medium accommodation unit.

Tamiya does not teach or suggest stopper portions for abutting against an outer circumferential edge of the recording medium loaded by said recording medium loading means, wherein said stopper portions are provided in said carriage chassis and is located at a position spaced on/from a loading center line of the recording medium accommodated in said recording medium accommodation unit.

Koken discloses disc-positioning ridges [24c] (i.e., stopper portions) for abutting against an outer circumferential edge of the recording medium loaded by said recording medium loading means wherein said stopper portions are located at a position spaced on/from a loading center line of the recording medium accommodated in said recording medium accommodation unit [Figure 1]. The stopper portions are positioned such that the movement of the pickup [22] is not obstructed by said stopper portions [24c].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the carriage chassis of Tamiya with stopper portions as taught by Koken.

The rationale is as follows: One of ordinary skill in the art at the time of the invention would have been motivated to provide the carriage chassis of Tamiya with stopper portions as taught by Koken in order to properly center the disc on the platform for reproducing operations [Koken; col. 7, lines 43-47].

➤ Regarding claims 4 and 8, Tamiya discloses all the features except the stopper portions being positioned to allow the carriage chassis to directly contact the outer circumferential edge of the recording medium when said carriage chassis is in a standby position.

Kaken shows the disc-positioning ridges [24c] (i.e., stopper portions) positioned at regular intervals around the disc supporting area of the upper side of the platform [24; Figure 1] as to not interfere with disc operations.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the carriage chassis of Tamiya with stopper portion positions/locations as taught by Koken.

The rationale is as follows: One of ordinary skill in the art at the time of the invention would have been motivated to provide the carriage chassis of Tamiya with stopper portion positions/locations as taught by Koken so that disc operations are not impeded.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher R. Magee whose telephone number is (703) 605-4256. The examiner can normally be reached on M-F, 8: 00 am-5: 30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on (703) 305-6137. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

November 1, 2004


Christopher R. Magee
Patent Examiner
Art Unit 2653

crm

A. J. HEINZ
PRIMARY EXAMINER
GROUP ~~2500~~ A. U. 2653
